

AMENDED IN ASSEMBLY AUGUST 21, 2006

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN SENATE MAY 26, 2006

SENATE BILL

No. 1226

Introduced by Senator Chesbro

(Principal coauthor: Assembly Member Evans)

February 1, 2006

An act to add Section 11011.26 to the Government Code, relating to state property, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1226, as amended, Chesbro. Surplus state property: County of Napa.

Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature.

This bill would authorize the director to sell or exchange, at current fair market value, all or part of a specified parcel of state property to the County of Napa upon those terms, conditions, reservations and exceptions the director determines are in the best interest of the state. The bill would require any agreement for the sale or exchange of the property to include a provision that requires the County of Napa to retain title to the property for use as a park or wilderness preserve, or in the event of a future sale of that property by the county, require the county, by recorded easement, to limit future uses of the property to a park or wilderness preserve. The bill would also require reimbursement of the Department of General Services for any cost or expense incurred in the disposition of the property from the proceeds

of the disposition of the property. The bill would require the net proceeds of any moneys received from the disposition of the property to be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, a continuously appropriated fund, thereby resulting in an appropriation. The bill would exempt any sale, lease, conveyance, or exchange of the property from specified provisions of the California Environmental Quality Act.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11011.26 is added to the Government
2 Code, to read:
3 11011.26. (a) Except as provided in subdivisions (b) and (c),
4 the Director of General Services may sell or exchange at current
5 fair market value to the County of Napa, upon those terms and
6 conditions and subject to those reservations and exceptions the
7 director determines are in the best interests of the state, all or any
8 part of the following real property, by January 1, 2009, after
9 which date, if not sold or exchanged, the property is no longer
10 surplus:
11 Approximately 850 acres of property, located at the Napa State
12 Hospital, 2100 Napa Vallejo Highway, Napa, Napa County.
13 (b) Notwithstanding the terms and conditions negotiated
14 pursuant to subdivision (a), in no event may the director sell or
15 exchange the property identified in subdivision (a) at a value less
16 than current fair market value.
17 (c) An agreement for the sale or exchange of the property
18 identified in subdivision (a), pursuant to subdivisions (a) and (b),
19 shall require the County of Napa to retain title to the entire
20 property sold or exchanged for use as a park or wilderness
21 preserve, or in the event of the future sale or exchange of that
22 property by the County of Napa, shall require the County of
23 Napa, by recorded easement, to limit future uses of the property
24 to a park or wilderness preserve.
25 (d) The Department of General Services shall be reimbursed
26 for any cost or expense incurred in the disposition of the property
27 described in subdivision (a) from the proceeds of the disposition.
28 The net proceeds of any moneys received from the disposition of

1 the property shall be paid into the Deficit Recovery Bond
2 Retirement Sinking Fund Subaccount, as established by
3 subdivision (f) of Section 20 of Article XVI of the California
4 Constitution.

5 ~~(e) Any sale, lease, conveyance, or exchange of the property~~
6 ~~described in subdivision (a) shall be exempt from Chapter 3~~
7 ~~(commencing with Section 21165) of Division 13 of the Public~~
8 ~~Resources Code.~~

9 *(e) Any sale, lease, conveyance, or exchange of the parcels*
10 *described in this section is exempt from Chapter 3 (commencing*
11 *with Section 21100) to Chapter 6 (commencing with Section*
12 *21165), inclusive, of Division 13 of the Public Resources Code.*